

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Brenda Evans,)	
)	
Plaintiff,)	C.A. No. 8:05-2575-HMH
)	
vs.)	
)	OPINION AND ORDER
Eaton Corporation Long Term Disability)	
Plan,)	
)	
Defendant.)	

This matter is before the court on remand from the United States Court of Appeals for the Fourth Circuit. On January 8, 2008, the Fourth Circuit held that the Eaton Corporation Long Term Disability Plan (“Plan”), governed by the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. §§ 1001-1461, did not abuse its discretion in rejecting the Plaintiff’s claim for benefits. Evans v. Eaton Corp. Long Term Disability Plan, No. 06-2252, 2008 WL 73240, at *7-8 (4th Cir. Jan. 8, 2008). As such, the Fourth Circuit reversed the judgment of this court and remanded the case with instructions to enter judgment for the Plan. Id. at *9.

It is therefore

ORDERED that judgment is entered for the Plan.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
January 30, 2008